

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF IOWA**

IN RE:	Chapter 11
BDC Group, Inc.,	Bankruptcy No. 23-00484
Debtor-in-Possession.	CONSENT ORDER LIFTING STAY

The matter before the Court is the Joint Motion for Relief from Automatic Stay (Doc. 195) filed by the Debtor-in-Possession and Caterpillar Financial Services. The Court finds that the parties have stipulated to a resolution and settlement of said Motions pursuant to Rule 4001(d) and L.R. 4001-1(a) and that such stipulation should be approved upon the terms and conditions as here-in-after set forth:

**IT IS THEREFORE ORDERED:**

1. The automatic stay regarding Caterpillar's collateral located in Virginia, a 2018 Trail King TK24LP Trailer (VIN 1TKC0312XKP129420) and a Caterpillar a mini excavator (S/N CAT303EAJWY06119), is lifted. Caterpillar will sell the collateral listed above and the sale proceeds thereof will be applied first to Caterpillar's outstanding debts secured by the collateral sold and, for the mini excavator, second to Keystone Savings Bank ("Keystone") on account of its prepetition secured debts. With respect to the sale or disposition of the trailer, residual proceeds, if any, shall be paid to the Debtor-in-Possession's attorneys to be held in trust pending the parties' resolution of the application of such residual proceeds.
2. The sale of Caterpillar's collateral as provided for in this order shall be upon such terms and conditions as agreed to by Keystone and Caterpillar.
3. Within thirty (30) days after the completion of a sale, Caterpillar shall file with the Court a report of sale which sets forth the gross proceeds received, any expenses or costs paid from the sale, the application of net proceeds to Caterpillar's claims, and the disposition of any residual proceeds exceeding the amount of Caterpillar's claims.
4. All parties' rights are reserved, including disputing the scope of Caterpillar's and Keystone's prepetition security interests, collateral valuation, and status as oversecured or undersecured.

5. This Order shall be effective immediately upon entry and the 10-day stay period, provided for in Bankruptcy Rule 4001(a)(3) shall not apply.

Dated and Entered:

September 15, 2023



Thad J. Collins

Chief Bankruptcy Judge

Agreed to Form and Content:

/s/ Mark Ludolph

Mark Ludolph, Counsel for Caterpillar Financial

/s/ Abram Carls

Abram Carls, Counsel for Keystone Savings Bank

/s/ Elizabeth Janczak

Elizabeth Janczak, Counsel for the Unsecured Creditors Committee

/s/ Austin Peiffer

Austin J. Peiffer AT0014402

Ag & Business Legal Strategies

Attorney for Debtor-in-Possession